



United States Patent and Trademark Office
Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2018

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	14005	
a. By patent owner	4137	30%
b. by other member of the public	9825	70%
c. By order of Commissioner	43	0%
2. Number of Filings by discipline		
a. Chemical Operation	3782	27%
b. Electrical Operation	5270	38%
c. Mechanical Operation	4717	34%
d. Design Patents	236	2%
3. Annual <i>Ex Parte</i> Reexam Filings		
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No		
1981 78 (3 mos.) 1989 242 1997 380 2005 520 2013 305		
1982 187 1990 297 1998 348 2006 473 2014 355		
1983 186 1991 309 1999 391 2007 601 2015 243		
1984 189 1992 390 2000 312 2008 691 2016 225		
1985 230 1993 359 2001 295 2009 605 2017 189		
1986 232 1994 379 2002 272 2010 698 2018 189		
1987 240 1995 395 2003 394 2011 736		
1988 269 1996 413 2004 436 2012 781		
4. Number known to be in litigation.....	4731	34%
5. Decisions on requests.....		13178
a. No. granted	12042	91%
(1) By examiner	11891	
(2) By Director (on petition)	151	
b. No. denied	1136	9%
(1) By examiner	1089	
(2) Reexam vacated	47	
6. Total examiner denials (includes denials reversed by Director).....		2272
a. Patent owner requester	586	26%
b. Third party requester	1686	74%
7. Overall reexamination pendency (Filing date to certificate issue date).....		
a. Average pendency	27.7 (mos.)	
b. Median pendency	19.8 (mos.)	

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2018

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All claims canceled	3%	10%	0%	12%
c. Claims changed	20%	47%	0%	67%
9. Total ex parte reexamination certificates issued (1981 – present)				11403
a. Certificates with all claims confirmed			2391	21%
b. Certificates with all claims canceled			1404	12%
c. Certificates with claims changes			7608	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3337
a. All claims confirmed			690	21%
b. All claims canceled			293	9%
c. Claims changed			2313	69%
b. Certificates – 3rd PARTY REQUESTER				8362
a. All claims confirmed			1681	20%
b. All claims canceled			1062	13%
c. Claims changed			5174	62%
c. Certificates – COMMISSIONER INITIATED REEXAM				41
a. All claims confirmed			2	5%
b. All claims canceled			23	56%
c. Claims changed			16	39%